

BOARD OF ZONING APPEALS

CITY OF MILWAUKEE

REGULAR MEETING – July 12, 2001
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*voting on items 1 - 51*)

Members: Scott R. Winkler (*voting on items 1 - 51*)
Catherine M. Doyle (*voting on items 1 – 38, 40 - 51*)
Roy B. Nabors (*voting on items 30 - 43*)

Alt. Board Members: Georgia M. Cameron (*voting on items 1 – 29, 39, 42 - 51*)
Donald Jackson (*voting on items 1 – 41, 44 - 51*)

START TIME: 4:37 p.m.

End Time: 9:06

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	23510 Dimensional Variance	Mathew Talbot Center Sam Marjanov; Property Owner Request to construct a 50 bed Community Based Residential Facility on the premises (maximum live-in period of 90 days).	8771 W. Fond du Lac Av. 5th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes - Cameron, Winkler, Jackson 1 Nay – Doyle, 1 Abstained - Zetley.	
2	23429 Special Use	M&I Marshall & Ilsley Bank George Vignyovich; Property Owner Request to construct a new bank with a drive through facility on the premises.	2701-29 W. National Av. 16th Dist.
	Action:	Dismissed	
	Motion:	Georgia Cameron moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	23261 Special Use	Cherry McKnight, Lessee Request to occupy the premises as a day care center for 8 children, 6 wks. through 12 yrs., open 24 hrs.	5052 N. 38th St. 1st Dist.
	Action:	Adjourned	
	Motion:	This application was adjourned at the request of the petitioner and will be scheduled at the next available hearing.	
4	23657 Extension of Time	Ameritech, Denise Waite; Other Request to comply with the conditions of case No. 22116.	1967 S. 37th St. A/K/A 3839 W. Burnham St. 8th Dist.
	Action:	Granted	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	23260 Special Use	Cherry McKnight, Lessee Request to occupy the premises as a day care center for 8 children, 6 wks. to 12 yrs., open 24 hrs.	6509 W. Villard Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the petitioner and will be rescheduled at the next available hearing.	
6	23642 Extension of Time	David Grosse, Property Owner Request to comply with the conditions of case No. 19056.	3100-02 W. State St. 4th Dist.
	Action:	Granted	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	23588 Use Variance	Darlene Alexopoulos, Prospective Buyer Request to occupy the premises as a bed & breakfast establishment with 6 rooms.	1809 N. 2nd St. 6th Dist.
	Action:	Dismissed	
	Motion:	Georgia Cameron moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
8	23630 Use Variance	Mardean Krogman, Lessee Request to continue occupying the premises as a tavern.	2463 S. St Clair St. A/K/A 2461-63 S. St Clair St. 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	23640 Special Use	US Oil Company, Inc., Property Owner Request to construct a motor vehicle pumping station with a convenience store on the premises.	10801 W. County Line Rd. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That provided there is no outdoor storage or display of products or merchandise.</p> <p>5. That provided there is no display of exterior banners or other advertising except that which is on the approved sign plan.</p> <p>6. That landscaping and screening meets the intent of s.295-75.</p> <p>7. That site illumination is controlled to prevent glare onto adjacent streets and residences.</p> <p>8. That the height of the proposed pylon sign is limited to a maximum of 15 feet and the size of the main sign is limited to a maximum of 50 square feet.</p> <p>9. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	
10	23622 Dimensional Variance	Scot K. Konings, Property Owner Request to construct a garage on the premises.	103 N. 65th St. 16th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of a neighbor and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	23638 Special Use	Community Child Care, Ltd. Ms. J. Brenda Hagler; Lessee Request to continue occupying the premises as a day care center for 71 children, ages 4 wks. - 12 yrs., from 6:00 a.m. to 11:30 p.m. (Mon-Fri) and from 6:00 a.m. to 6:00 p.m. (Sat-Sun). Action: Granted 10 yrs. Motion: Georgia Cameron moved to grant the appeal. Seconded by Scott Winkler. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That provided the petitioner obtains an occupancy permit and complies with current State commercial code for day cares. 5. That the outdoor play area is not utilized after 8:00 P.M. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	4311 W. North Av. A/K/A 2249 N. Sherman Blvd. 17th Dist.
12	23592 Special Use	Ahmadiyya Movement In Islam Property Owner Request to occupy the premises as a day care center for 50 children, ages 6 wks. - 12 yrs., from 6 a.m. to 6 p.m. Action: Adjourned Motion: This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing.	5600 W. Fond du Lac Av. 2nd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	23641 Special Use	The Milwaukee Women's Center Carey Tradewell-Monreal CEO; Property Owner Request to occupy the premises as a social service facility.	5444 W. Fond du Lac Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing.	
14	23651 Special Use	Associated Counseling & Training Services, Inc. Clarence Johnson, President & CEO; Lessee Request to occupy the premises as a social service facility (counseling, training and office space).	6815 W. Capitol Dr. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing.	
15	23610 Special Use	Peter Limberatos, Lessee Request to continue occupying the premises as a type 'A' restaurant with the addition of late hours (open until 3:30 a.m.).	1310 E. Brady St. A/K/A 1300-1330 E. Brady St. & 1706-16 N. Arlington Pl. 3rd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	23634 Dimensional Variance	Tim and Mary Bowers, Property Owner Request to construct an addition to the existing residence in the required side setback.	2307 E. Newberry Bl. 3rd Dist.
	Action:	Granted	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	
17	23624 Special Use/ Dimensional Variance	Warman Copeland, Prospective Buyer Request to occupy the premises as a church.	5831 W. Burleigh St. 7 th Dist.
	Action:	Granted	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate and complies with all State commercial code requirements for churches. 5. That landscaping and screening plans are submitted which meet the intent of s.295-75. 6. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof. 	

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18	23631 Special Use	Joshua Possessing The Promise Ministries Property Owner Request to occupy the premises as a church.	4931 W. Center St. A/K/A 4929-31 W. Center St. 7th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of a neighbor and will be rescheduled at the next available hearing.	
19	23645 Dimensional Variance	Alfredo & Bertha Ramos, Property Owner Request to construct a 26' x 30' (780 sq. ft.) detached garage.	2009 S. 35th St. 8th Dist.
	Action:	Granted	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the petitioner build in accordance with plans submitted.</p> <p>4. That provided no portion of the garage, overhang, or gutters are closer than 18 inches to the lot line.</p> <p>5. That this Variance is granted to run with the land.</p>	
20	23608 Special Use	Ultimate Truck Accessories Ken Pelt; Lessee Request to continue occupying the premises as a motor vehicle repair (installation of aftermarket parts) and sales facility.	7289 N. Teutonia Av. 9th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of DCD and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	23617 Special Use	Macedonia Baptist Church Rev. F. Taylor; Property Owner Request to continue occupying the premises as a church.	7265 N. Teutonia Av. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That a landscaping and screening plan, meeting the intent of s. 295-75, is submitted to and approved by the Department of City Development within thirty (30) days of the date hereof.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	
22	23618 Special Use	Belinda's Playpen Day Care Belinda Curtain; Prospective Buyer Request to occupy the premises as a day care center for 25 children, ages 6 wks. - 12 yrs., from 6 a.m. to 12 a.m.	4202 W. Silver Spring Dr. 9th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of a neighbor and will be rescheduled at the next available hearing.	

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23	23620 Special Use	Children Treasure Island Lenora Collins; Lessee Request to occupy the premises as a day care center for 150 children, ages 4 wks. - 12 yrs., from 6 a.m. - 10 p.m.	6125 N. Teutonia Av. A/K/A 6063-6159 N. Teutonia Ave. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That provided the petitioner obtains an occupancy permit and complies with current State commercial code for day cares. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
24	23635 Special Use	Inspired Kingdom Evangelistic Ministries Milton R. Holley; Lessee Request to continue occupying the premises as a church.	6063 N. Teutonia Av. 9th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	

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25	23604 Special Use	Kuldip, Inc., Prospective Buyer Request to construct a car wash and laundromat addition to the existing gas station and convenience stores at 1009 S. 1st Street.	117 W. Mineral St. A/K/A 1009 S. 1st St. 12th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of a neighbor and will be rescheduled at the next available hearing.	
26	23623 Use Variance	Miguel Vasquez, Property Owner Request to construct a garage to be used in conjunction with the existing residential unit on the premises.	1574-78 W. National Av. A/K/A 1576 W. National Av. 12th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of a neighbor and will be rescheduled at the next available hearing.	
27	23637 Special Use	Giros Nuevo Leon Gregorio Montoto; Lessee Request to occupy the premises as a currency exchange facility.	1004 W. National Av. 12th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of a neighbor and will be rescheduled at the next available hearing.	
28	23625 Special Use	Redmond Commercial Development Prospective Buyer Request to extend the Local Business district boundary line 38 ft. to the west and continue occupying the premises as a 24 hour retail store.	107 W. Wilbur Av. A/K/A 3727 S. Chase & 109 W. Wilbur Ave. 13th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of a neighbor and will be rescheduled at the next available hearing.	

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29	23658 Dimensional Variance	Thomas H. and Cheryl A. Welch Property Owner Request to construct a single-family dwelling unit on the premises.	2527 W. Goldcrest Av. 13th Dist.
	Action:	Granted	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
30	23582 Dimensional Variance	Keith A. Palms, Property Owner Request to construct a 26 x 30 ft. detached garage on the premises.	2603 S. Burrell St. 14 th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	

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31	23581 Dimensional Variance	Scott & Kristin Beckwith Property Owner Request to construct a two-family dwelling on the premises.	2920-26 S. Ellen St. 14th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
32	23629 Dimensional Variance	Allan & Dawn Kielpikowski Property Owner Request to construct an 18 x 24 ft. attached garage on the premises.	338 S. 64th St. 16th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
33	23562 Special Use	Janice Banyard, Property Owner Request to occupy the premises as a day care center for approximately 40 children, ages 6 wks. to 13 yrs., 2 shifts, from 6:00 AM to 12:00 AM.	3508-10 W. Lisbon Av. 17th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of DNS and will be rescheduled at the next available hearing.	

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34	23591 Special Use	Patricia Nettles Fondren, Lessee Request to occupy the premises as a day care center for 8 children, ages infant - 7 yrs., open 24 hours.	4429 W. North Av. A/K/A 4425-31 W. North Ave. 17th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
35	23600 Special Use	Agape Love Deliverance Church Rev. Joyce M. Dixon; Prospective Buyer Request to occupy the premises as a church.	4716 W. Lisbon Av. A/K/A 4716-18 W. Lisbon Ave. 17th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
36	23587 Special Use	Dykeman Properties L.L.C Prospective Buyer Request to occupy the premises as an indoor storage facility.	1726 W. Lloyd St. 17th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 1 Nay – Nabors, 0 Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the building is painted and the overhead door is replaced. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	23573 Special Use	All Our Kids Barbara Henry; Prospective Buyer	5148 N. Teutonia Av. 1st Dist.
		Request to occupy the premises as a day care center for 100 children, ages 6 wks. - 12 yrs., from 6 a.m. to 6 p.m.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That provided the petitioner obtains an occupancy permit and complies with current State commercial code for day cares. 5. That the wall sign is limited to a maximum of 50 square feet and all other signs and sign frames are removed. 6. That the size of the outdoor play area is enlarged to meet the requirements of the State of Wisconsin. 7. That the outdoor play area is separated from the parking area by some type of physical barrier such as bollards. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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38	23524 Special Use	Mustard Seed Child Care Center Titilola Salako; Lessee Request to occupy the premises as a day care center for 50 children, ages 6 wks. - 12 yrs., from 6 a.m. to 6 p.m.	7120 W. Fond du Lac Av. A/K/A 7108-20 W. Fond du Lac Ave. 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner complies with all State code requirements for child day care facilities. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the fenced outdoor play area is separated from the parking area by some type of physical barrier such as bollards. 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

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39	23563 Dimensional Variance	Bell Therapy, Inc Ms. Tracy Oerter; Property Owner Request to continue occupying the premises as a Community Based Residential Facility (CBRF).	6105 W. Keefe Avenue Pk. A/K/A 6105-07 W. Keefe Avenue Pkwy. 2nd Dist.
	Action:	Granted 1 yr.	
	Motion:	Catherine Doyle recused. Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of one (1) year, commencing with the date hereof.	
40	23205 Dimensional Variance	Gaenslen Elementary School Property Owner Request to construct a 26.6 sq. ft. sign on the premises.	1250 E. Burleigh St. 3rd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	23639 Special Use	Little Land Child Care Clifford Turner; Other Request to occupy the premises as a day care center for 40 children, ages 6 wks. - 12 yrs., from 6 a.m. to 12 a.m.	1235 W. Juneau Av. A/K/A 1233-35 W. Juneau Ave. 4th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That provided the operator obtains an occupancy permit and complies with current State commercial code for day cares. 5. That provided all outstanding building code violations are corrected prior to occupancy. 6. That signage is limited to a maximum total of 40 square feet. 7. That the outdoor play area is not utilized after 8:00 P.M. 8. That the outdoor play area and rear parking area are physically separated by a fence. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	23644 Dimensional Variance	Bethesda Church of God Rev. Bates; Property Owner Request to construct a ground sign which exceeds the allowable area.	2810 W. Highland Bl. 4th Dist.
	Action:	Granted	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Catherine Doyle	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
43	22906 Special Use	Aquil Malik, Property Owner Request to construct and occupy the premises as a gas station convenience store and type 'b' restaurant.	720-30 N. 35th St. 4th Dist.
	Action:	Adjourned	
	Motion:	Roy Nabors moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	23612 Special Use	Grace Christian Fellowship Inc. Pastor Frank Susler, Prospective Buyer	9900 W. Capitol Dr. 5 th Dist.
		Request to occupy the premises as a church.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the applicant obtains an occupancy permit and complies with all State commercial code requirements for churches and schools.</p> <p>5. That the applicant form a Neighborhood Snow Removal Committee to assist in the removal of snow from the alley.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	23615 Dimensional Variance	Ark of The New Covenant Church Mrs. Jurlean Bailey; Property Owner Request to occupy the premises as a fellowship hall and Community Living Arrangement (CLA) for 8 clients.	8054 W. Appleton Av. A/K/A 8050-66 W. Appleton Av. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans for the parking areas are submitted which meet the intent of s.295-75. 5. That site illumination is controlled to prevent glare onto adjacent streets and residences. 6. That any signage is limited to a maximum of 40 square feet. 7. That no deliveries occur between the hours of 8:00 p.m. and 8:00 a.m. 8. That the proposed fence be moved five (5) feet off the alley lot line. 9. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	
46	23621 Use Variance	Loving Shepherd Lutheran Church Property Owner Request to construct a parking lot addition in the front yard without the required landscaping.	3909 W. Clinton Av. 9th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	23632 Use Variance	Rainmaker Enterprises, Inc. Andrew G. Busalacchi/Victoria A. Eberle; Property Owner	215 W. Maple St. 12th Dist.
		Request to legalize the conversion of the manufacturing building into 60 condominium units with 46 parking spaces.	
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the landscaping and screening plan for the parking lot must be upgraded to include a minimum of 13 deciduous shrubs & 8 conifer shrubs along the north frontage and 13 deciduous shrubs and 8 conifer shrubs along the west frontage in addition to the trees and fence as proposed. 5. That signage is limited to a maximum of 40 square feet. 6. That landscape plans are submitted to and approved by the Zoning Administrative Group prior to issuance of any permits. 7. That no further work be done on the building until all permits are obtained. 8. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	23636 Special Use	Lincoln Village Child Care Center Adul Hafiz; Property Owner Request to occupy the premises as a day care center for 50 children, ages infant - 12 yrs., from 6 a.m. - 12 a.m.	1203 W. Lincoln Av. A/K/A 1201-03 W. Lincoln Ave. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That permits are obtained for all exterior signage and signs are install according to approved sign plan. 5. That a loading zone is obtained along West Lincoln Avenue. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. That signage is limited to the sign band above the storefront windows. 8. That the outdoor play area is not utilized after 8:00 P.M. 9. That the operator obtains an occupancy permit and complies with current State commercial code for day cares and all requirements are met before occupancy. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
49	23548 Special Use	Ruben Hernandez, Lessee Request to occupy the premises as an auto repair facility.	1823-25 S. Kinnickinnic Av. 12th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	3 Ayes - Doyle, Jackson, Cameron, 0 Nays, 2 Abstained - Zetley, Winkler.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	23512 Special Use/ Dimensional Variance	Bhupinder S. Ghuman Prospective Buyer Request to occupy the premises as a motor vehicle pumping station with a car wash and convenience store.	1200 E. Howard Ave. 14 th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all banner signs are removed. 5. That there is no out door storage or display of products or merchandise. 6. That the Automatic Teller Machine (ATM) machine is installed to meet accessibility requirements. 7. That the proposed vacation of a 22-foot wide strip on the east side of S. Clement Avenue is approved by the Common Council. 8. That site illumination is controlled to prevent glare onto adjacent streets and residences. 9. That signage is limited to a maximum of 50 square feet. 10. That the height of the pylon sign not exceed 15 feet. 11. That the site plan is revised to include identifiable pedestrian links connecting the building to Howard Ave. and Clement Ave. 12. That the site is landscaped and screened according per the landscape plan submitted to the Board of Zoning Appeals on May 14, 2001. 13. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 14. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	23401 Appeal of an Order	R. L. McNeely Property Owner Request to appeal the order of the Commissioner of Neighborhood Services determining the use of the premises to be a three-unit dwelling.	3907-09 N. Sherman Bl. 10th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to uphold the order. Seconded by Donald Jackson.	
	Vote:	5 Ayes – Doyle, Zetley, Winkler, Jackson, Cameron , 0 Nays, 0 Abstained.	

Other Business:

Board member Winkler moved to approve the minutes of the June 21, 2001 meeting. Seconded by Board member Doyle. Unanimously approved.

The Board set the next meeting for August 2, 2001.

Board member Winkler moved to adjourn the meeting at 9:06 p.m.. Seconded by Board member Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board